

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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<p>In Re:</p> <p style="text-align:center">BRIAN EARL BOYSEN,</p> <p style="text-align:center">Debtor.</p>	<p>NOTICE OF HEARING AND APPLICATION FOR COMPENSATION BY WAYNE G. NELSON, ATTORNEY FOR DEBTOR</p> <p>BKY Case No. 04-31279 Chapter 13 Case</p>
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1. Wayne G. Nelson moves the Court for allowance of compensation for services.
2. The Court will hold a hearing on this application at 11:30 a.m. on October 26, 2004, in Courtroom 228B, U.S. Courthouse, 316 North Robert Street, St. Paul, Minnesota 55101.
3. Any response to this application must be filed and delivered no later than October 21, 2004, which is three days before the time set for the hearing (excluding Saturdays, Sundays and holidays), or filed and served by mail no later than October 15, 2004, which is seven days before the time set for the hearing (excluding Saturdays, Sundays and holidays). **UNLESS A RESPONSE OPPOSING THE APPLICATION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**
4. This Court has jurisdiction under 28 U.S.C. §§ 157 and 1334.
5. This case was commenced by the filing of a Chapter 13 petition March 4, 2004. On September 23, 2004, a plan was confirmed.
6. Wayne G. Nelson received \$694 from the debtor on February 26, 2004. \$500 was applied to attorney fees and \$194 was applied to the filing fee. To the best of the undersigned's belief, there remain no administrative expenses to be paid.
7. This case was more complicated than the typical chapter 13 case because Debtor had been involved in a business and he was a defendant in numerous lawsuits. The lawsuits continued

against a codefendant and the undersigned had numerous conversations with attorneys for the plaintiffs and the debtor regarding the ongoing litigation. The plaintiffs expect they will seek Debtor's testimony in that litigation. Debtor disputed his liability but the schedules had to be amended so that distributions could be made to those creditors. Debtor does not have the financial resources to contest all those claims. The exemptions also had to be amended.

Because Debtor was unable to sell his motorcycle, the plan had to be modified preconfirmation to deal with that change in circumstances.

8. Wayne G. Nelson's usual and reasonable hourly rate is \$195 per hour, and 10 hours have been expended herein. Debtor previously paid \$500 toward these services. Attached as Exhibit A is an itemization of the hours expended.

**WHEREFORE**, Wayne G. Nelson requests the Court to allow compensation in the amount of \$1,950.

Dated: October 6, 2004

/e/ Wayne G. Nelson  
Wayne G. Nelson (#155731)  
Attorney for Debtor(s)  
5500 Wayzata Boulevard, Suite 1025  
Minneapolis, MN 55416  
(763) 591-1355

**Verification**

I, Wayne G. Nelson, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: October 6, 2004

/e/ Wayne G. Nelson  
Wayne G. Nelson (#155731)  
Attorney for Debtor(s)  
5500 Wayzata Boulevard, Suite 1025  
Minneapolis, MN 55416  
(763) 591-1355

***Law Offices of Wayne G. Nelson***

5500 Wayzata Boulevard

Suite 1025

Minneapolis, Minnesota 55416

Ph:763-591-1355

Fax:763-591-1653

Brian Boysen

Attention:

File #: 03-100

Inv #: SAMPLE

RE: Pleadings and conferences

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-10-3	Conference with client regarding debts, bankruptcy possibilities, involvement with former business and status of lawsuits against him.	1.00	195.00	WGN
Feb-26-4	Conference with client regarding filing chpt. 13 bankruptcy. Discuss needed information.	0.80	156.00	WGN
Mar-04-4	Review of bankruptcy papers entered by legal assistant. Make changes and corrections.	1.20	234.00	WGN
	Telephone conference with client regarding budget and chpt 13 plan.	0.20	39.00	WGN
	Conference with client regarding bankruptcy papers. Explain plan, answer questions and execute documents.	0.20	39.00	WGN
Apr-07-4	Conference with client regarding meeting of creditors, review papers and go over anticipated questions.	0.40	78.00	WGN
Apr-13-4	Telephone conference with client regarding tax refund exemption.	0.10	19.50	WGN
Apr-15-4	Telephone Conference with Margaret Culp re amending exemptions and continuing confirmation.	0.10	19.50	WGN
May-10-4	Review of objection to exemptions.	0.10	19.50	WGN
May-26-4	Review of objection to confirmation.	0.10	19.50	WGN
May-27-4	Telephone conference with client regarding objections and amending papers.	0.10	19.50	WGN

Exhibit A

Jun-01-4	Preparation of amended schedules A,C, and F.	0.50	97.50	WGN
	Conference with client regarding executing amended schedules and status.	0.10	19.50	WGN
	Telephone Conference with Margaret Culp, amended papers okay.	0.10	19.50	WGN
Jun-24-4	Preparation of emails to and from Margaret Culp re confirmation. Since motorcycle not sold it is now issue. Need claim from bank.	0.10	19.50	WGN
Jul-19-4	Telephone conference with client regarding motorcycle value. Client still trying to sell.	0.10	19.50	WGN
Jul-23-4	Wrote fax to Margaret Culp with New Market proof of claim to satisfy objection.	0.10	19.50	WGN
Jul-28-4	Preparation of emails to and from Tom Johnson, chpt 13 counsel re confirmation. Margaret not in so cannot confirm. Need new plan.	0.10	19.50	WGN
Aug-03-4	Preparation of emails to and from Margaret Culp re language needed in modified plan re motorcycle.	0.10	19.50	WGN
	Telephone conference with client regarding modified plan..	0.10	19.50	WGN
Aug-16-4	Telephone conference with client regarding lawsuits status and modified plan.	0.10	19.50	WGN
Aug-20-4	Conference with client regarding modified plan and execution.	0.10	19.50	WGN
	Totals	5.80	\$1,131.00	

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**Total Fees, Disbursements**


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**\$1,131.00**


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**Balance Due No Later Than 10 Days From Date Of Billing**


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**\$1,131.00**

***Law Offices of Wayne G. Nelson***

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Brian Boysen

Attention: File #: 03-101  
Inv #: SAMPLE

RE: Creditor inquiries and claims

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Mar-04-4	Preparation of fax to atty. Lisa Hill re bankruptcy filing and need to stop litigation against client.	0.20	39.00	WGN
Mar-11-4	Telephone conference with Al, Country Pet Foods, re bankruptcy filing.	0.10	19.50	WGN
	Telephone Conference with New Prague Truck Ctr. re bankruptcy filing.	0.10	19.50	WGN
Mar-12-4	Wrote letter to Scott County Court Administrator re fact I do not represent client in state court, but bk. only.	0.40	78.00	WGN
May-17-4	Telephone Conference with atty. Lisa Hill re possible lift stay motion for her to proceed in state court against codefendant; basis for claim of client's involvement as partner in business.	0.10	19.50	WGN
Jul-23-4	Telephone Conference with Dan Ringstad, New Market Bank, prepare proof of claim and fax to him to sign.	0.30	58.50	WGN
Aug-25-4	Wrote letter to Four attorneys involved in litigation against client and others in state court litigation re fact I do not represent him in that litigation but only in bankruptcy.	1.00	195.00	WGN
	Totals	2.20	\$429.00	

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Brian Boysen

Attention:

File #: 03-102

Inv #: SAMPLE

RE: Preparation of Plan

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Mar-04-4	Preparation of chpt. 13 plan.	0.60	117.00	WGN
Aug-16-4	Preparation of modified plan.	0.50	97.50	WGN
	<b>Totals</b>	1.10	\$214.50	

<b>Total Fees, Disbursements</b>	<b>\$214.50</b>
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<b>Balance Due No Later Than 10 Days From Date Of Billing</b>	<b>\$214.50</b>
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***Law Offices of Wayne G. Nelson***

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Fax: 763-591-1653

Brian Boysen

Attention:

File #: 03-103

Inv #: SAMPLE

RE: Meeting of Creditors

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Apr-07-4	Court hearing regarding meeting of creditors.	0.50	97.50	WGN

<b>Totals</b>		0.50	\$97.50	
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<b>Total Fees, Disbursements</b>	<b>\$97.50</b>
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<b>Balance Due No Later Than 10 Days From Date Of Billing</b>	<b>\$97.50</b>
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Brian Boysen

Attention:

File #: 03-104

Inv #: SAMPLE

RE: Fee Application

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Oct-06-4	Preparation of Notice of Hearing and Fee Application and proposed order. Review file and time entries.	0.40	78.00	WGN
	Totals	0.40	\$78.00	

**Total Fees, Disbursements**

**\$78.00**

**Balance Due No Later Than 10 Days From Date Of Billing**

**\$78.00**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In Re:

BRIAN EARL BOYSEN,

Debtor.

ORDER ALLOWING  
PRE-CONFIRMATION  
COMPENSATION TO  
COUNSEL FOR DEBTOR

BKY Case No. 04-31279  
Chapter 13 Case

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This Chapter 13 case comes on before the Court on the application of Wayne G. Nelson, counsel for Debtor, for allowance of pre-confirmation compensation. Upon review of the application and its supporting documents, the Court concludes:

The stated compensation and expenses were accrued and incurred for necessary services actually rendered in connection with the case; they are reasonable in amount.

**IT IS THEREFORE ORDERED:**

Wayne G. Nelson, counsel for Debtor, is allowed the sum of \$1,950 in compensation and expenses, \$500 previously paid and \$1,450 to be paid in the chapter 13 case for pre-confirmation services rendered in connection with the case in which that counsel represented Debtor.

Dated: \_\_\_\_\_, 2004

\_\_\_\_\_  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In Re:

BRIAN EARL BOYSEN,  
  
Debtor.

BKY Case No. 04-31279

Chapter 13 Case

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**UNSWORN CERTIFICATE OF SERVICE**

I, Wayne G. Nelson, declare under penalty of perjury, that on the 6th day of October, 2004, I served a true and correct copy of the attached Notice of Hearing and Application for Compensation and proposed Order on all entities listed below by depositing the same in the United States mail, first-class, postage prepaid.

Habbo G. Fokkena  
United States Trustee  
1015 U. S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Jasmine Z. Keller  
Chapter 13 Trustee  
310 Plymouth Building  
12 South Sixth Street  
Minneapolis, MN 55402

Brian Boysen  
8351 278<sup>th</sup> Street East  
Elko, MN 55020

Dated: October 6, 2004

/e/ Wayne G. Nelson  
Wayne G. Nelson (#155731)  
Attorney for Debtor(s)  
5500 Wayzata Boulevard, Suite 1025  
Minneapolis, MN 55416  
(763) 591-1355